

WASHINGTON, DC -- Congresswoman Linda Sánchez, Chairwoman of the House Judiciary Subcommittee on Commercial and Administrative Law (CAL), gave the following statement on the floor of the House of Representatives on Thursday in support of the contempt resolution for former White House Counsel Harriet Miers and White House Chief of Staff Joshua Bolten.

As chair of the CAL subcommittee, which has jurisdiction over the Justice Department's Executive Office of U.S. Attorneys, Congresswoman Sánchez, along with Judiciary Committee Chairman John Conyers, Jr., led last year's House investigations into the firings of eight U.S. Attorneys. Those investigations included seven hearings, five of those before the CAL Subcommittee.

"Madam Speaker, we have reluctantly reached today's vote to hold former White House Counsel Harriet Miers and White House Chief of Staff Joshua Bolten in contempt of Congress.

"Since March 9, 2007, Chairman Conyers and I have patiently negotiated in good faith to reach an accommodation with the White House for documents and testimony relevant to the U.S. Attorney investigation. Unfortunately, the White House has stubbornly refused to move off its opening position, an unreasonable offer that testimony be given without an oath or transcript and that any testimony and documents provided exclude internal White House communications. To have negotiations, concessions by both sides are necessary. Otherwise, it's just capitulation.

"I was extremely disappointed that Ms. Miers, Mr. Bolten, and the White House based their refusal to comply with our subpoenas on sweeping claims of executive privilege and immunity that some experts have called "Nixonian in breadth." The Subcommittee carefully considered these claims in two separate meetings last year. In detailed rulings, I found that these claims were not properly asserted and were not legally valid. Even if the claims were properly asserted and legally valid, the strong public need for the information about the U.S. Attorney firings substantially outweighs the assertion of executive privilege here.

"I was also very disappointed to hear from Attorney General Mukasey in testimony before the Judiciary Committee last week that he will direct the D.C. U.S. Attorney not to comply with the contempt statute, which provides that the U.S. Attorney "shall" refer the contempt citation to a grand jury for action after receiving it from the Speaker.

"Members on both sides of the aisle should recognize the gravity of this vote. If the Executive Branch is allowed to simply ignore congressional subpoenas while Congress idly stands by, we will have abdicated our role of oversight of the Executive Branch and undermine our system of checks and balances. Further, our lack of action will be cited by future Presidents as justification for questionable claims of executive privilege.

"I hope that my colleagues on the other side will again stand together in support of this body's institutional prerogatives. Time is long overdue for Congress to reassert itself as a co-equal branch of government."